

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75615 of 2023

Arising Out of PS. Case No.-857 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Roop Narayan Mahto @ Rup Narayan Patel S/O Meetal Mahto Village-
Dighrampur Sah, Ps. Sadar, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Ms.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 467, 468, 471, 420, 120(B) of the Indian Penal Code and sections 30(a), 32(i)(ii)(iii), 36, 41(i)(ii) of the Excise Act.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the allegation is of recovery of 5421.960 litres of liquor from a truck and two pickup van. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated in the case based on the fact that the godown belongs to him. It is also submitted that petitioner had already rented the said godown to



Mithilesh Singh who is also an accused in the present case. It is further submitted that no prudent businessman would use his own premises for committing an occurrence and thus, would create evidence against himself. It is further submitted that the police in mechanical manner investigates and implicates the petitioner, when admittedly petitioner is a person with clean antecedent.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,00/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. 1, Muzaffarpur in connection with Sadar P.S. Case No. 857 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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